



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/691,168   | 10/22/2003  | Jeffrey J. Folkins   | A3078-US-NP         | 6509             |
| 75931 7590 09/25/2008<br>BASCH & NICKERSON LLP<br>1777 PENFIELD ROAD<br>PENFIELD, NY 14526 |             |                      |                     |                  |
| EXAMINER<br>WILLIAMS, KIMBERLY A   |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 2625   |             |                      |                     |                  |
| NOTIFICATION DATE  |             | DELIVERY MODE        |                     |                  |
| 09/25/2008   |             | ELECTRONIC           |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dmasters@bnpatentlaw.com

dneels@bnpatentlaw.com

mnickerson@bnpatentlaw.com

# Office Action Summary

**Application No.**

10/691,168

**Applicant(s)**

FOLKINS, JEFFREY J.

**Examiner**

Kimberly A. Williams

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

**Applicants please note that a new examiner has been assigned to this application.**

1. The disclosure is objected to because of the following informalities: Applicants please update page 1 of the specification by deleting attorney docket numbers and updating the status of the mentioned applications with their patent numbers (US 6985250 and US 7426043). Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Sela (US 5913018).

Regarding **claim 1**, Sela teaches method for minimizing the Inter-Document Zone (IDZ) in multi-pass printing system architectures, with print engines employing asynchronous paper delivery and providing control over paper feed and imaging times comprising:

a) receiving input electronic data of an image intended to be printed on a recording medium (page data in bands 8-1 to 8-10 as a sequence of PDL commands col. 2, lines 39-44);

b) inspecting said electronic data to determine a lead edge blank border of said image, the lead edge blank border being a portion of the electronic data of the image corresponding to an area located at a leading edge of the recording medium onto which no marking material is to be deposited, the lead edge blank border having a first dimension parallel to a direction the recording medium is being transported and a second dimension perpendicular to a direction the recording medium is being transported (fig. 1, bands 8-1 to 8-3, the top 3 blank bands on the page);

c) determining, on a page by page basis, whether a length of the lead edge blank border, in the first dimension, exceeds a predetermined distance (using band times  $T_E$  to a rendering cost  $T_i$ ; col. 6, line 59- col. 7, line 14); and

d) adjusting, on a page by page basis, imaging and paper delivery timing accordingly to increase subsequent printing speed when length of the lead edge blank border, in the first dimension, exceeds a predetermined distance (speed control circuitry 50, col. 6, lines 18-21, 45-52; col. 7, lines 15-21; col. 13, lines 59-62).

Regarding **claim 2** Sela teaches when the lead edge blank border exceeds the predetermined distance, the images corresponding to that page is printed sooner than a nominal situation (print engine speeds up for sparse page, col. 7, lines 15-21; col. 13, lines 59-62).

Regarding **claim 3** Sela teaches e) inspecting said electronic data to determine a trail edge blank border of said image, the trail edge blank border being a portion of the electronic data of the image corresponding to an area located at a trailing edge of the recording medium onto which no marking material is to be deposited, the trail edge blank border having a first dimension parallel to a direction the recording medium is being transported and a second dimension perpendicular to a direction the recording medium is being transported (fig. 1, band 8-10, the last blank band on the page);

e) determining, on a page by page basis, whether the trail edge blank border exceed a predetermined distance (using band times  $T_E$  to a rendering cost  $T_i$  for the entire page which includes the trailing edge; col. 6, line 59- col. 7, line 14); and

g) adjusting, on a page by page basis, imaging and paper delivery timing accordingly to increase subsequent printing speed when the length of the trail edge blank border, in the first dimension, exceeds the predetermined distance such that the image corresponding a subsequent document is printed sooner than a nominal situation (print engine speeds up for sparse page, col. 7, lines 15-21; col. 13, lines 59-62).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly A. Williams whose telephone number is (571) 272-7471. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kimberly A Williams/  
Primary Examiner, Art Unit 2625

KAW  
September 20, 2008